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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
7

8 UNITED STATES OF AMERICA,

No. CR 05-0324 MMC

9 Plaintiff,
10 v.

**ORDER GRANTING UNITED STATES'
MOTION FOR AN ANONYMOUS JURY**

11 DENNIS CYRUS, JR.,
12 Defendant
13 _____/

14 Before the Court is the United States' Motion for an Anonymous Jury, filed October
15 9, 2008. Defendant Dennis Cyrus, Jr. has filed opposition thereto. Having read and
16 considered the papers filed in support of and in opposition to the motion, the Court rules as
17 follows.

18 The Court, having considered the factors set forth in United States v. Fernandez,
19 388 F. 3d 1199, 1244-45 (9th Cir. 2004), and for the reasons stated by the United States,
20 finds it appropriate to empanel an anonymous jury. The Court finds the United States has
21 made a sufficient showing as to each of the five factors identified in Fernandez, which
22 considerations, in the instant case, substantially outweigh the considerations offered by
23 defendant in opposition to the motion. Additionally, in an effort to address the defendant's
24 concerns, the Court intends to provide the venire with a neutral explanation for the
25 procedure.

26 **IT IS SO ORDERED.**

27 Dated: October 30, 2008
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MAXINE M. CHESNEY
United States District Judge